

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID A. STEBBINS,

Plaintiff,

v.

JOHN DOES 1-5, et al.,

Defendants.

Case No. [24-mc-80179-HSG](#)

**ORDER DIRECTING CLERK TO
OPEN NEW MATTER**

Re: Dkt. No. 24

In August 2024, pro se Plaintiff David Anthony Stebbins sought to bring a copyright infringement action against Defendants John Doe and YouTube, LLC. Dkt. No. 1. The undersigned reviewed the proposed complaint in his capacity as General Duty Judge, as required by a vexatious litigant order entered in August 2023. Upon review, the Court directed the Clerk not to accept the complaint for filing. *See* Dkt. No. 18. Defendant appealed. Dkt. No. 19.


The Ninth Circuit affirmed in part and reversed in part the Court's order. Dkt. No. 24. The court affirmed the order to the extent that it rejected Plaintiff's claims for copyright infringement of his channel icon, libel, intentional infliction of emotional distress, and conspiracy. *Id.* at 3. But the court reversed in part and remanded to permit the proposed complaint to proceed only as to Plaintiff's claims for copyright infringement regarding the four videos as to which Plaintiff alleges he owns the copyrights, and which he alleges Defendant John Doe reproduced in their entirety. *See id.* at 2–3. The Ninth Circuit issued the mandate in February 2025. Dkt. No. 25.

Accordingly, the Court **DIRECTS** the Clerk to use Dkt. No. 1, Plaintiff's complaint, to open a new matter so that Plaintiff may proceed only as to the claims permitted by the Ninth Circuit. The new matter shall be assigned using the proportionate, random, and blind system

pursuant to General Order No. 44. Once the new matter is open, the Clerk is **DIRECTED** to file on that docket a copy of this Order, a copy of the Ninth Circuit's memorandum, Dkt. No. 24, and a copy of the Ninth Circuit mandate, Dkt. No. 25. The Clerk is further **DIRECTED** to terminate as moot Dkt. No. 21 and to close this case.

IT IS SO ORDERED.

Dated: 5/23/2025


HAYWOOD S. GILLIAM, JR.
United States District Judge